



CENTRAL INTELLIGENCE AGENCY

Office of Congressional Affairs

Washington, D.C. 20505

Telephone: 351-6136 13 NOV 1987

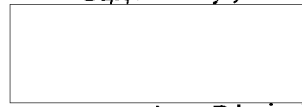
TO: Mr. Edward Cummings, L/LEI
DEPARTMENT OF STATE
Washington, D.C. 20520

Dear Mr. Cummings:

Enclosed is our draft analysis of
S. 1721. We would appreciate receiving
any comments you may have NO LATER THAN
2:00 p.m., November 17th.

OMB will forward the Director's
opening statement to you.

Sincerely,



Legislation Division
Office of Congressional Affairs

Enclosure

FORM 2-86 **1533** OBSOLETE
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OCA87-6233

Distribution:

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OCA/Leg/ (2 Jan 1988)

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CENTRAL INTELLIGENCE AGENCY

Office of Congressional Affairs

Washington, D.C. 20505

Telephone: 351-6136 13 NOV 1987

TO: Mr. Walter Jajko
Office of the Secretary of Defense
Washington, D.C. 20301-3040

Dear Mr. Jajko:

Enclosed is our draft analysis of S. 1721. We would appreciate receiving any comments you may have NO LATER THAN 2:00 p.m., November 17th.

OMB will forward the Director's opening statement to you.

Sincerely,

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[Redacted Signature]

Legislation Division
Office of Congressional Affairs

Enclosure

OCA87-6232

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CENTRAL INTELLIGENCE AGENCY

Office of Congressional Affairs

Washington, D.C. 20505

Telephone: 351-6136 13 NOV 1987

TO:

National Security Agency
Fort Meade, Maryland 20755-6000

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Dear

Enclosed is our draft analysis of S. 1721. We would appreciate receiving any comments you may have NO LATER THAN 2:00 p.m., November 17th.

OMB will forward the Director's opening statement to you.

STAT

Sincerely,

[Redacted Signature]

Legislation Division
Office of Congressional Affairs

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Enclosure

FORM
2-86

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OCA87-6234

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OCA/Leg, [Redacted] (2 Jan 1988)

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CENTRAL INTELLIGENCE AGENCY

Office of Congressional Affairs

Washington, D.C. 20505

Telephone: 351-6136

13 NOV 1987

TO: [redacted] Department of Defense
Defense Intelligence Agency/General Counsel
Washington, D.C. 20340-0129

Dear [redacted]

Enclosed is our draft analysis of S. 1721. We would appreciate receiving any comments you may have NO LATER THAN 2:00 p.m., November 17th.

OMB will forward the Director's opening statement to you.

Sincerely,

[redacted]
Legislation Division
Office of Congressional Affairs

Enclosure

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OCA 87-6235

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OCA/Leg [redacted] (2 Jan 1988)



CENTRAL INTELLIGENCE AGENCY

Office of Congressional Affairs

Washington, D.C. 20505

Telephone: 351-6136 13 NOV 1987

TO: Ms. Opal Andrews
Office of Secretary of Defense
Washington, D.C. 20301

Dear Ms. Andrews:

Enclosed is our draft analysis of S. 1721. We would appreciate receiving any comments you may have NO LATER THAN 2:00 p.m., November 17th.

OMB will forward the Director's opening statement to you.

Sincerely,

[Redacted Signature]

Legislation Division
Office of Congressional Affairs

Enclosure

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CENTRAL INTELLIGENCE AGENCY

Office of Congressional Affairs

Washington, D.C. 20505

Telephone: 351-6136 13 NOV 1987

TO: Mr. Russ Neely, National Security Division
Office of Management and Budget
Washington, D.C. 20503


Dear Russ:

Enclosed is our draft analysis on
S. 1721, the Intelligence Oversight Act
of 1987.

Your advice is requested as to whether
there is any objection to the submission of
this letter from the standpoint of the
President's program.

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Sincerely,


Legislation Division
Office of Congressional Affairs

Enclosure

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ANALYSIS OF S.1721

THE IMPACT ON THE INTELLIGENCE COMMUNITY

This paper analyzes the issues raised by S. 1721 for the Intelligence Community. The paper covers both issues raised in the DCI opening statement to the SSCI on the bill and those other issues not addressed in the opening statement. The issues covered are presented in the order they appear in the bill.

§501 General Provisions

(a) This subsection places a statutory obligation on the President to keep the Congress fully and currently informed of intelligence activities. The subsection also states that President or his representatives ordinarily shall consult with the intelligence committees prior to initiating an intelligence activity. The Section-by-Section analysis makes clear that the President also should consult with intelligence committees on proposed findings prior to their approval by the President.

Position of Community: We would oppose legislating a requirement to consult. Rather, we suggest Congress would be better served by pursuing the President's offer in his 7 August letter to consult in advance on important decisions affecting our national security. Issue further discussed in DCI opening statement.

[The position of the White House on placing a statutory obligation on the President to report is not known.]

(b) This subsection would impose on the President the duty to ensure reports are made to the intelligence committees of illegal intelligence activities or significant intelligence failures. The obligation currently rest with DCI and agency heads. The section also would eliminate the discretion to report such activities in "a timely fashion." Third, the obligation to report is no longer qualified by reporting with due regard to protecting classified information or information relating to intelligence sources and methods. Finally, the reporting requirement would no longer have to be consistent with "applicable authorities and duties, including those conferred by the constitution upon the executive and legislative branches of the Government."

Position of the Community: We would object to the elimination of the ability to report in a timely fashion. The intelligence agencies should not be required to report intelligence failures or illegal activities instantly. Time is sometimes essential to gather the facts necessary before a report, if any, is made. Second, we are concerned that reporting obligation is not qualified by the need to protect sources and methods. While we do on occasion provide source information with respect illegal intelligence activities or significant intelligence failures, we wish to preserve the right to withhold this information in necessary cases.